

**Draft 2-19-09**

Regular Meeting  
Frankfort Board of Commissioners

January 26, 2009  
5:30 P.M. (EST)

**PRESENT**

Commissioner Kathy Carter  
Commissioner Sellus Wilder  
Commissioner William I. May, Jr.  
Commissioner Rodney Williams  
Mayor Gippy Graham

(5)

**ABSENT**

None

(0)

The meeting was called to order by Mayor Graham. Rev. Jackson Brewer, First United Methodist Church, gave the invocation. The Pledge of Allegiance was recited by those in attendance.

It was moved by Commissioner Williams, seconded by Commissioner May, to dispense with the reading of the minutes of December 8, 2008 Work Session; December 11, 2008 Regular Meeting; January 5, 2009 Special Meeting; and January 12, 2009 Work Session, and approve the minutes as presented. The question was put upon the motion, and the motion was adopted by voice vote.

**Citizen Comments**

Terry Sutton commented regarding Agenda Item 4.3, protesting the proposed ordinance changing board meeting times and dates.

**Mayor's Report**

Mayor Graham thanked staff for assistance in getting oriented. He reported on a public meeting held on January 17, 2009, to seek input as to the city's priorities, and thanked those who participated. He also reported he and Commissioner Wilder recently attended training offered for new city officials by the Kentucky League of Cities, and on his attending the Bluegrass Area Development District Annual Meeting.

"AN ORDINANCE CLOSING A PROPOSED EXTENSION TO FLAMINGO DRIVE, CARDINAL HILLS SUBDIVISION THAT WAS DEDICATED TO THE CITY OF FRANKFORT BUT WAS NEVER CONSTRUCTED" was presented and read. This Ordinance had its first reading on December 11, 2008. It was moved by Commissioner Carter, seconded by Commissioner Wilder, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Wilder, May, and Williams, and Mayor Graham (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 1, 2009 Series).

"AN ORDINANCE TO AMEND THE CITY OF FRANKFORT'S CODE OF ORDINANCES – CHAPTER 152 – BY AMENDING THE CITY OF FRANKFORT'S ZONING REGULATIONS - ARTICLE 15-NON-CONFORMING USE AND NON-COMPLYING STRUCTURES – SECTIONS 15.071, 15.072, AND ARTICLE 17 – ARCHITECTURAL REVIEW BOARD – SECTIONS 17.15.2, 17.15.3, AND 17.16 OF THE CITY OF FRANKFORT'S ZONING ORDINANCE" was presented and read. This Ordinance had its first reading on December 11, 2008. It was moved by Commissioner Williams, seconded by Commissioner Carter, that the Ordinance be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Wilder, May, and Williams, and Mayor Graham (5). Those voting against the motion were none (0). The Ordinance was thereupon adopted (Ordinance No. 2, 2009 Series).

"AN ORDINANCE AMENDING FRANKFORT CODE OF ORDINANCES CHAPTER 32, SECTION 32.03, MEETINGS" was presented and read.

"RESOLUTION AUTHORIZING THE FILING OF A JOINT APPLICATION FOR 2008 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND DESIGNATING THE MAYOR TO EXECUTE ALL DOCUMENTS PERTAINING TO THIS GRANT" was presented. It was moved by Commissioner Williams, seconded by Commissioner Carter, that the Resolution be adopted. The question was put upon

the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Wilder, May, and Williams, and Mayor Graham (5). Those voting against the motion were none (0). The Resolution was thereupon adopted (Resolution No. 1, 2009 Series).

“RESOLUTION AUTHORIZING THE FILING OF A CONTINUATION OF AN APPLICATION FOR FEDERAL SURVEY AND PLANNING FUNDS GRANT AND AUTHORIZING THE MAYOR TO EXECUTE ALL GRANT-RELATED DOCUMENTS” was presented. It was moved by Commissioner May, seconded by Commissioner Carter, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Wilder, May, and Williams, and Mayor Graham (5). Those voting against the motion were none (0). The Resolution was thereupon adopted (Resolution No. 2, 2009 Series).

At the request of City Manager Tony Massey, it was moved by Commissioner Carter, seconded by Commissioner May, that Consent Agenda item 7.12 be moved to New Business (as Item 10.1), and Consent Agenda Item 7.13 be deferred until the February 2009 meeting. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Wilder, May, and Williams, and Mayor Graham (5). Those voting against the motion were none (0). The motion was thereupon adopted.

The following miscellaneous and personnel items were presented:

- 7.1 Authorized the Mayor to sign a Customer Services Agreement and Pricing Amendment with Kelly Services, Inc. to provide temporary employee service; funds are available in Account No. 200.68.53225 (Sewer Department);
- 7.2 Authorized the Mayor to sign the Collateral/Surety Agreements with Farmers Bank, Whitaker Bank, and American Founders Bank, as recommended by annual audit; funds on deposit are to be continuously secured by collateral of surety bond per KRS 41.240 (Finance Department);
- 7.3 Approved the 2007-08 Annual Audit for the City of Frankfort, as prepared by Charles T. Mitchell Company, and as previously presented to the Board; funding of \$16,500 is allocated in the General Fund Account No. 100.00.53220 and \$10,000 is allocated in Sewer Account No. 200.68.53220, for a total cost of \$26,500 (Finance Department);
- 7.4 Authorized Partial Release of Sewer Easement in favor of MSN Properties, LLC (Turnberry Village) (Sewer Department);
- 7.5 Authorized an electronic Recycling Agreement with Creative Recycling Systems, Inc. for the city's e-scrap program; agreement designated the drop-off site for electronic waste and items that will be accepted; funds are available in the Sanitation Division's operating budget to fund the recycling program (Public Works);
- 7.6 Authorized the filing of an Intent to Apply form for 2009 Transportation Enhancement grant funds and designated the Mayor to execute all grant documents; no city obligation at this time; if invited to submit a full application, local match of 20% of project costs required, at approximately \$150,000, including local and in-kind contributions (Public Works);
- 7.7 Authorized payment for demolition of four houses by Coulter Building Corporation and their sub-contractors for the HOME Holmes Street Rehabilitation Project; demolition work estimated to be \$32,832; funding for reconstruction of houses on demolition sites to be provided by KHC under HOME grant; contracts for demolition/construction to be between property owner and contractor; demolition funding available in General Fund Accounts 625 (Revolving Loan Fund), 550 (Rental Rehab), and 540 (Frankfort Housing Corporation) (Grants Manager);
- 7.8 Authorized contract bid for pipe-bursting a 277-foot segment of 8-inch Clay pipe and replace with an 8-inch High Density Polyethylene Pipe conventional installation of 48-feet of 8-inch PVC and install 4 manholes on Buffalo Trail; Engineer's cost estimate is \$70,000; funds available in Account No. 300.68.53240 (Sewer Department);
- 7.9 Approved a Sewer Extension Contract with Villages at Parkside, LLC for the Lifestyles at Parkside located at 8000 John Davis Drive in Frankfort, Kentucky ; property is zoned residential with 300 lots, with improvements including 13 new manholes, 2926 feet of 8-inch SDR 35 pipe; contract required between city of Frankfort and developer prior to acceptance of discharge; Kentucky Division of Water to review plans and specifications after commission approval; final acceptance contingent upon completion of the 30-day waiting period for testing after construction is completed (Sewer Department);

- 7.10 Authorized award of Engineering Services Agreement with Sherman Carter Barnhart, PSC for design services to replace a sewer line mounted on a wall near East Main Street; agreement is for design and surveying services through the bidding process, for amount of \$40,000; funds available in Account No. 300.68.54390 (Sewer Department);
- 7.11 Authorized execution of a Right of Way Agreement between the City of Frankfort and the Frankfort Plant Board for the purpose of laying a water line over a portion of the Juniper Hills Golf Course property owned by the City of Frankfort; Frankfort Plant Board to pay the City of Frankfort \$1.00 for this easement (Parks and Recreation);
- 7.14 Authorized the following personnel actions:
- Appointment of Kayla Christie, effective 1-27-09, to position of Telecommunicator (Communications – from part-time to full-time);
  - Promotion of Roger Bivens, effective 1-15-09, to position of Garage Foreman from Mechanic III (Garage);
  - Resignation of Tracey Harrod, effective 1-2-09, and authorize payment of all accrued time as of effective date (Telecommunicator; Communications).

It was moved by Commissioner May, seconded by Commissioner Carter, that the Consent Agenda be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Wilder, May, and Williams, and Mayor Graham (5). Those voting against the motion were none (0). The motion was thereupon adopted.

#### **Old Business**

Commissioner May presented a letter to Mayor Graham from Senator Mitch McConnell regarding the Economic Stimulus package.

#### **New Business**

Following discussion, it was moved by Commissioner May, seconded by Commissioner Carter, to authorize the signing of the Real Estate and Purchase Agreement to be entered into by and between the City of Frankfort and Commonwealth Credit Union (New Business Item 10.1). The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Wilder, May, and Williams, and Mayor Graham (5). Those voting in favor of the motion were none (0). The motion was thereupon adopted.

Police Chief Mark Wilhoite recognized Officer Monte Chapel and City Hall staff Lisa Agee for recent community work, and Lt. Charles Adams for completing the School of Strategic Leadership program. Communications Director Daryl Hensley recognized Communications staff for raising funds to assist needy families. Fire Chief Wallace Possich reported on local VFW awards for public servants to Battalion Chief Kyle Smith and Sergeant Dee Wooley. Finance Director Steve Dawson recognized License Fee Administrator Tammy Brown for her efforts in developing a *Guide to Conducting Business in Frankfort* brochure. Gary Muller reported the Planning and Building Codes Employee of the Year is Planning Supervisor Maya DeRosa. City Manager Tony Massey recognized Public Works and Street Department staff for their recent hard work.

Commissioner Carter complimented Allen Burris and the Street Department for charitable Christmas efforts, and complimented department heads for recognizing staff. Commissioner May commented regarding the Reforest Frankfort project sponsored by the Parks and Recreation Department. Commissioner Wilder stated Bellepoint residents expressed interest in having a community garden, similar to the garden South Frankfort residents had last year at Dolly Graham Park. City Manager advised that citizens should contact the city regarding this project. Commissioner Wilder also asked about linking meeting agendas to the web site calendar, and requested that the community priority listing from the Mayors recent public meeting be posted on the city's web site.

It was moved by Commissioner Carter, seconded by Commissioner May, that the meeting adjourn. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Wilder, May, and Williams, and Mayor Graham (5). Those voting against the motion were none (0). The motion was thereupon adopted, and the meeting adjourned at 6:11 p.m.

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Mayor

Attest:

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City Clerk